



WEB COPY



WP.Nos.28018 & 28021 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.Nos.28018 & 28021 of 2023

D.Varadharajan .. Petitioner in W.P.No.28018 of 2023

V.Devisigamani .. Petitioner in W.P.No.28021 of 2023

Versus

1.The Managing Director
Tamil Nadu State Transport Corporation (Coimbatore) Limited
No.37, Mettupalayam Road
Coimbatore – 641 043

2.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai – 600 002

.. Respondents

Prayer in W.P.No.28018 of 2023: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity, Employees Provident Fund and Earned Leave Salary from the date of retirement to till the date of payment made to the petitioner.

Prayer in W.P.No.28021 of 2023: Writ Petition is filed under Article 226 of the



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Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity and Employees Provident Fund of the petitioner's wife Mrs.M.Hema from the date of her death till the date of payment made to the petitioner.

In both petitions

For Petitioners : Mr.M.Varunkumar

For Respondents : Mr.A.Vinothraj for R1
Mr.C.S.K.Sathish for R2

COMMON ORDER

W.P.No.28018 of 2023 has been filed seeking to direct the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity, Employees Provident Fund and Earned Leave Salary from the date of retirement to till the date of payment made to the petitioner.

W.P.No.28021 of 2023 has been filed seeking to direct the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity and Employees Provident Fund of the petitioner's wife Mrs.M.Hema from the date of her death till the date of payment made to the petitioner.

2. It is the case of the writ petitioner in W.P.No.28018 of 2023 that he



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retired from his service on 29.02.2020; and in W.P.No.28021 of 2023, the petitioner's wife died in harness on 13.08.2020. The grievance of the petitioners are that interest for the terminal benefits are not paid. Hence, the present Writ Petitions.

3. The learned counsel for the respondents in both cases submitted that they would release the eligible amount to the petitioners.

4. Heard both sides and perused the materials placed on record. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioners are entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the respondents are directed to pay the eligible amount along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioners, from the date of retirement or death till the date of actual disbursement within a period of eight weeks from the date of receipt of a copy of this Order.

N.SATHISH KUMAR, J.



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dhk

6. With the above direction, these Writ Petitions are disposed of. No costs.

27.09.2023

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

To,

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